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Attorneys for Plaintiffs

EVA TOLDI, on behalf of herself and all others similarly situated

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EVA TOLDI, on behalf of herself and
all others similarly situated,

Plaintiffs,

v.

HYUNDAI CAPITAL AMERICA
d/b/a HYUNDAI MOTOR FINANCE,

Defendants.

Case No. : 2:16-cv-01877-APG-GWF

**STIPULATION TO EXTEND
PLAINTIFF'S TIME TO FILE
RESPONSE TO DEFENDANT'S
MOTION TO DISMISS AND
MOTION TO STAY THE ACTION**

(First Request)

Plaintiff, Eva Toldi ("**Plaintiff**") and Defendant Hyundai Capital America ("**Hyundai**"), by and through their undersigned counsel, and pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1, respectfully request that this Court extend by thirty (30) days the deadline for Plaintiff to file her response to Hyundai's Motion to Dismiss or Stay the Action, which was filed on September 1, 2016. (ECF No.

11).¹ In support of this request, the parties incorporate the following memorandum of law, which sets forth good cause for the requested extension of time.

WHEREFORE, pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1, the parties stipulate and agree that this Court grant Plaintiff a thirty (30) day extension of time, up to and including October 17, 2016, to file her response to Defendant's Motion to Dismiss or Stay the Action. Hyundai's Reply will be due on November 7, 2016.

MEMORANDUM OF LAW

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1, Plaintiff hereby requests an extension of thirty (30) days, up to and including October 17, 2016, to respond to Defendant's Motion to Dismiss or Stay the Action.

Defendant filed its Motion to Dismiss or Stay the Action on September 1, 2016, citing complex legal authority and arguments. (Doc. 11). In accord with Local Rule 7-2, Plaintiff's response to the Motion to Dismiss or Stay the Action is currently due to be filed and served on September 15, 2016.

Due to the complexity of issues raised in Defendant's Motion to Dismiss or Stay the Action, and the undersigned counsel's significant other professional

¹ On September 1, 2016, Defendant filed its Motion to Dismiss or Stay the Action twice – first as Docket Entry 11, and again as Docket Entry 12. As both docket entries appear to be the same, Plaintiff intends to respond only to the Motion to Dismiss or Stay the Action filed as Docket Entry 11, and will disregard Docket Entry 12.

1 commitments and deadlines in unrelated cases, Plaintiff requires additional time to
2 prepare a meaningful response to the Motion to Dismiss or Stay the Action.

3 Pursuant to Federal Rule of Civil Procedure 6(b)(1), this Court may, for good
4 cause shown, extend the time for Plaintiff to file a response to Defendant's Motion
5 to Dismiss or Stay the Action before the applicable deadline expires. *Cunningham-*
6 *Dirks, et al. v. State of Nevada*, Case No. 2:12-CV-00590-PMP-VCF, 2013 WL
7 1187485, at *1 (D. Nev. Mar. 19, 2013). A thirty (30) day extension of time would
8 allow the undersigned counsel sufficient time to prepare a response to Defendant's
9 Motion to Dismiss or Stay the Action.
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13 This request is not made for any improper purpose or delay, and is the first
14 request for an extension of time regarding Defendant's Motion to Dismiss or Stay the
15 Action. Granting the relief sought in this motion will not result in the delay of any
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1 deadline because the scheduling order has not yet been entered in this case.

2 Defendant does not oppose the relief requested herein.

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4 **ORDER**

5 Having considered the foregoing and finding good cause appearing,

6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff,
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8 Eva Toldi, shall have up to and including **October 17, 2016** to file her response to
9 Defendant's Motion to Dismiss or Stay the Action.

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant
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12 Hyundai's Reply will be due on **November 7, 2016**.

13 IT IS SO ORDERED.

14 Dated: September 9, 2016.

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18 **UNITED STATES DISTRICT JUDGE**
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